

Message Text

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61
ORIGIN L-03

INFO OCT-01 ARA-06 ISO-00 SSO-00 NSCE-00 USIE-00 INRE-00

CIAE-00 DODE-00 PM-04 H-02 INR-07 NSAE-00 NSC-05

PA-01 PRS-01 SP-02 SS-15 SAB-01 EB-07 DOTE-00 JUSE-00

IGA-02 /057 R

DRAFTED BY L/ARA:GCHESTER:JV

APPROVED BY L/ARA:G.CHESTER

ARA/ECP - MR. TAHER

ARA/NC - D. COX (SUBS)

ARA/PAN - D. WAGNER

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FM SECSTATE WASHDC

TO AMEMBASSY PANAMA IMMEDIATE

AMEMBASSY BOGOTA IMMEDIATE

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E.O. 11652: N/A

TAGS: ETRN, CO, PN

SUBJECT: DARIEN GAP HIGHWAY INJUNCTION

1. DEPARTMENT WAS INFORMED THIS MORNING THAT JUDGE BRYANT OF THE U.S. DISTRICT COURT ISSUED ON SEPTEMBER 23 AN ORDER CONTINUING IN EFFECT THE PRELIMINARY INJUNCTION AGAINST ANY U.S. ACTION IN FURTHERANCE OF CONSTRUCTION OF THE DARIEN GAP HIGHWAY. THE TERMS OF THE INJUNCTION CONTINUE TO PERMIT U.S. ACTION IN FURTHERANCE OF CONSTRUCTION PROJECTS ALREADY INITIATED IN PANAMA AS OF THE DATE OF THE ORIGINAL INJUNCTION, OCTOBER 17, 1975. HOWEVER, U.S. ACTION IN FURTHERANCE OF ANY NEW PROJECTS IN PANAMA OR OF DESIGN AND SURVEY WORK IN COLOMBIA IS NOW ENJOINED.

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2. DEPARTMENT UNDERSTANDS SOME PUBLICITY MAY HAVE BEEN GIVEN IN PANAMA TO DOT INTENTION TO BEGIN NEW PROJECT OF PAVING THE SECTION OF THE HIGHWAY NEAR TOCUMAN AIRPORT DURING THIS CONSTRUCTION SEASON. TERMS OF THE INJUNCTION AS IT NOW STANDS WOULD FORECLOSE ANY U.S. PARTICIPATION OR FUNDS IN THAT PROJECT.

3. THE DEPARTMENT OF TRANSPORTATION AND THE DEPARTMENT OF JUSTICE ARE CONSIDERING POSSIBLE COURSES OF ACTION, INCLUDING THE FEASIBILITY OF APPEALING THE ORDER IMMEDIATELY.

4. FOR PANAMA. PLEASE INFORM THE GOP OF THIS DEVELOPMENT IN THE MANNER AND AT THE LEVEL YOU FEEL APPROPRIATE. KISSINGER

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Message Attributes

Automatic Decaptoning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: CONSTRUCTION, COURT DECISIONS, HIGHWAYS
Control Number: n/a
Copy: SINGLE
Draft Date: 27 SEP 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: GolinoFR
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976STATE240097
Document Source: CORE
Document Unique ID: 00
Drafter: GCHESTER:JV
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D760364-1205
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760915/aaaaamta.tel
Line Count: 75
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN L
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: GolinoFR
Review Comment: n/a
Review Content Flags:
Review Date: 20 JUL 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <20 JUL 2004 by izenbei0>; APPROVED <20 JUL 2004 by GolinoFR>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: DARIEN GAP HIGHWAY INJUNCTION
TAGS: ETRN, CO, PN
To: PANAMA BOGOTA
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006